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S. J. R. No. 41

"A JOINT RESOLUTION

"PROPOSING an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III by raising the limit on the amount that may be expended in any one year out of State funds for Public Assistance payments only to Seventy-five Million (\$75,000,000) Dollars; providing for the necessary election, form of ballot, proclamation, and publication."

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

① "SECTION 1. That Section 51-a of Article III of the Constitution of the State of Texas be amended, and the same is hereby amended, so as to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years and are over the age of sixty-five (65) years;

"(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

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"(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;

"(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children.

"The Legislature may define the residence requirements, if any, for participation in these programs.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of State funds for such purposes; provided that the maximum amount paid out of State funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such

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S. J. R. No. 41

laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and provided further, that the total amount of money to be expended per fiscal year out of ^AState funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Seventy-five Million (\$75,000,000) Dollars.

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision.

Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the ^QLaws of this ^AState."

"SECTION 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this ²State at an election to be held on the first Tuesday after the first Monday in November, 1968, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment raising the limit on the amount that may be expended in any one year out of ^AState funds for Public Assistance payments only to Seventy-five Million, (\$75,000,000) Dollars. "

"AGAINST the Constitutional Amendment raising the limit on the amount that may be expended in any one year out of ^AState funds for Public Assistance payments only to Seventy-five Million (\$75,000,000) Dollars."

~~"SECTION 3.~~ The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the Laws of the State of Texas.

The publication of this Amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only.

③ Prior added

By: Bernal

S. J. R. No. 41

A JOINT RESOLUTION

proposing an Amendment to Section 51-a, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 51-a, Article III, Constitution of the State of Texas, be amended to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:

"(1) Needy aged persons who are citizens of the United States or noncitizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years and are over the age of sixty-five (65) years;

"(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;

"(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children.

"The Legislature may define the residence requirements, if any, for participation in these programs.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of state funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the state for these

purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and provided further that the total amount of money to be expended per fiscal year out of state funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Seventy-five Million Dollars (\$75,000,000).

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services of assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November 1968, at which election all ballots shall have printed on them the following:

"FOR the Constitutional Amendment raising the limits on the amount of money the state may spend for old age assistance and other welfare programs to \$75,000,000 per year.

"AGAINST the Constitutional Amendment raising the limits on the amount of money the state may spend for old age assistance and other welfare programs to \$75,000,000 per year."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

FORM C

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

COMMITTEE REPORT

Date 5/23/67,

HON. BEN BARNES

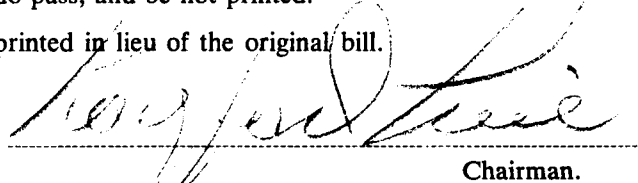
Speaker of the House of Representatives.

Sir:

We, your Committee on Gen'l. Edwards and Co. Co. to, to whom was

referred S.R. 2 No. 41, have had the same under consideration and beg to report back with recommendation that it do pass, and be not printed.

Committee Substitute was recommended and is to be printed in lieu of the original bill.


Chairman.

(A "committee substitute" in the case of a bill is in the form of two suggested amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

Amend House Committee Amendment #1 to S.J.R. #41 by adding the following at the end of Section 3:

"The publication of this Amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only."

DATE **MAY 27 1967**

READ AND ADOPTED

Dorothy Williams
CHIEF CLERK
HOUSE OF REPRESENTATIVES

A JOINT RESOLUTION

Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III by raising the limit on the amount that may be expended in any one year out of state funds for Public Assistance payments only to Seventy-five Million Dollars (\$75,000,000); providing for the necessary election, form of ballot, proclamation, and publication.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and provided further, that the total amount of money to be expended per fiscal year out of state funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Seventy-five Million Dollars (\$75,000,000).

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November 1968, at which election all ballots shall have printed thereon the following:

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"AGAINST the Constitutional Amendment raising the limit on the amount that may be expended in any one year out of state funds for Public Assistance payments only to Seventy-five Million Dollars (\$75,000,000)."

S. J. R. No. 41

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the laws of the State of Texas. The publication of this Amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only.

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that S. J. R. No. 41 passed the Senate on May 22, 1967, by the following vote: Yeas 25, Nays 4; May 29, 1967, Senate concurred in House amendments by the following vote: Yeas 31, Nays 0.

Secretary of the Senate


I hereby certify that S. J. R. No. 41 was adopted by the House on May 27, 1967, with amendments, by the following vote: Yeas 138, Nays 0.

Chief Clerk of the House

Approved:

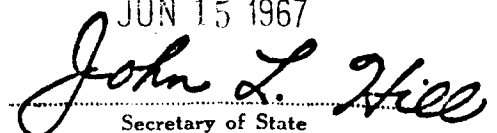
6/14/67

Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:30 PM O'CLOCK

JUN 15 1967


Secretary of State

SJR NO. 41 BY Bernal

MAY 22 1967
Regular order of business
suspended by vote of
22 yeas, 5 nays
to permit consideration.

A JOINT RESOLUTION

PROPOSING an amendment to Section
51-a, Article III, Constitution
of the State of Texas, to in-
crease the amount of money which
may be spent for old age assis-
tance and other welfare pro-
grams.

MAY 22 1967
READ SECOND TIME
AND ORDERED ENGROSSED

MAY 22 1967
Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of 23 yeas,
5 nays, to place bill on third
reading and final passage.

MAY 18 1967
Constitutional Rule (Sec. 5, Art.
III) and Senate Rule 114 suspended
by vote of 29 yeas, 0 nays,
to introduce bill.

MAY 22 1967
READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

Yeas 25 Nays 4
Charles Schnabel
Secretary of the Senate

MAY 18 1967 Read first time
and referred to Committee
on Constitutional Amendments

MAY 19 1967
Reported Favorably.

____ 19 ____ Engrossed

Engrossing Clerk

By: Bernal

S. J. R. No. 41

Proposing an Amendment to Section 51-a, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs.

5-18-67 Constitutional Rule (Sec. 5, Art. III) and Senate Rule 114 suspended by vote of 29 Yeas, 0 Nays, to introduce bill.

5-18-67 Read first time and referred to Committee on Constitutional Amendments.

5-19-67 Reported favorably.

5-22-67 Regular order of business suspended by vote of 22 Yeas, 5 Nays, to permit consideration.

5-22-67 Read second time and ordered engrossed.

5-22-67 Senate Rule 32 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 23 Yeas, 5 Nays, to place bill on third reading and final passage.

5-22-67 Read third time and passed by the following vote:
Yeas 25, Nays 4.

Charles Schnabel, Secretary of the Senate

5-22-67 Engrossed.

ENGROSSING CLERK

MAY 23 1967

SENT TO HOUSE

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 5:15 P.M. MAY 23 1967
(Time) (Date)

MAY 23 1967

Received from
the Senate

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1967

Motion to suspend all necessary rules
to consider, prevailed by vote.

Dorothy Hallman

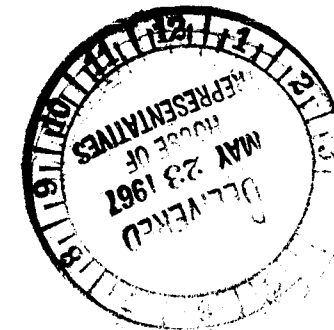
Chief Clerk, House of Representatives

MAY 23 1967

READ 1st TIME
AND REFERRED TO COMMITTEE ON

Constitutional Amendments

MAY 23 1967 REPORTED FAVORABLY AS AMENDED SENT TO PRINTER



MAY 27 1967

Read Second Time and passed to
third reading by vote of 138 yeas, 138 noes.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1967 RETURNED TO SENATE

MAY 29 1967

RETURNED _____

FROM HOUSE

with amendments

MAY 29 1967

Senate concurred in House amend-
ments by the following vote: 31
yeas, 0 nays.